United Nations S/PV.3596

Security Council

Fiftieth Year

Provisional

3596th Meeting

Wednesday, 22 November 1995, 8.35 p.m.

New York

President:	Mr. Al-Khussaiby	(Oman)
Members:	Argentina	Mr. Cárdenas
	Botswana	Mr. Outlule
	China	Mr. Qin Huasun
	Czech Republic	Mr. Rovensky
	France	Mr. Ladsous
	Germany	Mr. Kaul
	Honduras	Mr. Martínez Blanco
	Indonesia	Mr. Wisnumurti
	Italy	Mr. Ferrarin
	Nigeria	Mr. Egunsola
	Russian Federation	Mr. Fedotov
	Rwanda	Mr. Bakuramutsa
	United Kingdom of Great Britain and Northern Ireland	Mr. Plumbly
	United States of America	Mr. Gnehm

Agenda

The situation in Croatia

Letter dated 15 November 1995 from the Permanent Representative of Croatia to the United Nations addressed to the Secretary-General (S/1995/951)

95-86780 (E)

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The meeting was called to order at 8.40 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Croatia

Letter dated 15 November 1995 from the Permanent Representative of Croatia to the United Nations addressed to the Secretary-General (S/1995/951)

The President: I should like to inform the Council that I have received a letter from the representative of Croatia, in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Nobilo (Croatia) took a seat at the Council table.

The President: The Security Council will now begin its consideration of the item on its agenda.

The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/1995/951, letter dated 15 November 1995 from the Permanent Representative of Croatia to the United Nations addressed to the Secretary-General.

Members of the Council also have before them document S/1995/979, which contains the text of a draft resolution submitted by Argentina, the Czech Republic, France, Germany, Honduras, Italy, the Russian Federation, Rwanda, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

I should like to draw the attention of the members of the Council to the following other documents: S/1995/843, letter dated 6 October 1995 from the Permanent Representative of Croatia to the United Nations addressed to the President of the Security Council; and S/1995/964, letter dated 15 November 1995 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General.

It is my understanding that the Council is ready to proceed to vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote.

There being no objection, it is so decided.

I shall first call on those members of the Council who wish to make statements before the voting.

Mr. Fedotov (Russian Federation) (*interpretation from Russian*): The Russian delegation welcomes the signing of the Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium. This document makes possible a peaceful political settlement of the problems in this region of Croatia, which is inhabited to a considerable extent by Serbs. Thus, there has been created a real chance to avoid a repetition of the tragedy that occurred earlier in Krajina, where hundreds of thousands of peaceful civilians lost their homes and became refugees.

The Agreement was made possible by the parties' realism and sense of responsibility, as well as the considerable contribution of international mediators and States members of the Contact Group. It provides for restoration of the security guarantees that were undermined for the entire population of the region during the years of conflict, securing for the Croats, Serbs and representatives of other nationalities, in equal measure, basic human rights and freedoms, adequate conditions for the return of refugees, and normalization of life together in general.

It should be pointed out that recently — before the signing of the Agreement — there was particular heightening of tension in Sector East. The fact that events did not develop in line with the worst-case military scenario was due largely to the United Nations international force, including the Russian contingent, which performed this difficult peacemaking mission so commendably for several years. Russia is prepared to continue its contribution to ensuring peace and security in the region. We also support the continuation and expansion of international participation in efforts to ensure human rights in Croatia.

The Agreement that has been achieved also removes the basic obstacles to the full normalization of relations

between the Republic of Croatia and the Federal Republic of Yugoslavia, which is of decisive significance for a comprehensive settlement of the crisis in the Balkans. In this regard, we believe that the draft resolution before the Council, which was submitted on the initiative of the Contact Group, is appropriate and timely. In our view, the United Nations must play an important role in the promotion of the peace process, including the creation of a Transitional Administration and an international force.

Mr. Qin Huasun (China) (*interpretation from Chinese*): Yesterday the Croatian Government and the local Serbian authorities signed the Basic Agreement on the question of Eastern Slavonia. This is a gratifying step taken by the two parties concerned, through the mediation of the United Nations and the international community, in the comprehensive settlement of the Croatian question through peaceful negotiations. The Chinese delegation welcomes this development.

We have all along held that, in any settlement of the Croatian question, the sovereignty and territorial integrity of the Republic of Croatia should be respected and that the Croatian Government and the local Serbian authorities should seek a solution acceptable to both sides to the conflict, through peaceful negotiation. We hope that the parties will implement in earnest the Agreement that has been reached and will each do all they can to secure a comprehensive political settlement of the Croatian question. This would also facilitate the process of securing a comprehensive settlement of the question of the former Yugoslavia.

On the basis of this position, the Chinese delegation will vote in favour of the draft resolution before the Council.

We also note that the Basic Agreement contains some requests to the United Nations and the Security Council, including one concerning authorization by the Council of the establishment of a Transitional Administration and an international force. These requests involve many complicated political and legal issues. We therefore need to conduct careful studies and discussions and to refrain from making hasty decisions as to how the United Nations might facilitate and participate in the implementation of the peace plan in the region, following progress in the peace process. It would be both illogical and unreasonable to ask the Council to commit itself in advance to future participation. The Council should be particularly prudent in its consideration of such major issues involving important decisions.

Mr. Wisnumurti (Indonesia): The underlying tension in Eastern Slavonia has been a constant source of preoccupation for the Security Council as it has had the potential to escalate the conflict in the former Yugoslavia to a new level of violence, destruction and human suffering. The delegation of Indonesia therefore welcomes the signing, on 12 November 1995, of the Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium between the Government of the Republic of Croatia and the local Serb representatives. We are especially grateful to the United Nations mediator, Mr. Thorvald Stoltenberg, and the United States Ambassador, Mr. Peter Galbraith, for their tireless efforts, which culminated in the signing of the Agreement.

The Basic Agreement constitutes a significant and crucial step towards establishing a framework for the comprehensive political settlement of a crisis that has inflicted such enormous pain and hardship on countless innocent and defenceless people. Indeed, we believe that the achievement of the Basic Agreement was not an insignificant factor in moving the Dayton peace talks forward, leading to the initialling, on 21 November 1995, of the General Framework Agreement for Peace in Bosnia and Herzegovina.

We believe that strict adherence to the provisions of the Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium will extinguish what has previously been one of the most serious potential flash-points in the territories of the former Yugoslavia. In this respect, the Security Council's formal support for the Basic Agreement reflects its intense determination to ensure that the Agreement is fully implemented by the parties concerned.

In that regard, my delegation would like to reaffirm the importance that it attaches to full cooperation between the Government of the Republic of Croatia and the local Serb party, on the basis of the Agreement, to their refraining from any military activities or any measures that might impede implementation of the transitional arrangements contained in the Agreement, and to their cooperating fully with the United Nations Confidence Restoration Operation in Croatia.

Under the terms of the Basic Agreement, the Security Council is requested to establish a Transitional Administration and to authorize an international force. We welcome the confidence that the parties concerned have demonstrated by entrusting to the Council the task

of working out the details of the projects to which I have referred, and we anticipate intensive work by the Council on this matter.

On this occasion, we would like simply to reiterate the views that my delegation has already expressed relating to the need for transparency, consultation and consensus in the Security Council's consideration of the various issues that stem from the Basic Agreement.

In view of these considerations, my delegation will vote in favour of the draft resolution now before the Council.

Mr. Rovensky (Czech Republic): The Czech Republic has always considered the relationship between Croats and Serbs within Croatia, as well as between Croatia and the Federal Republic of Yugoslavia, to be a critical one for the entire region. The siege of Vukovar, the shelling of Dubrovnik, the "ethnic cleansing" of Eastern Slavonia and, a couple of years later, of Sectors North and South punctured the monotony of even the bad news coming from the region.

The Erdut-Zagreb Basic Agreement between the Government of Croatia and the Serb authorities in Eastern Slavonia punctures the monotony again — this time with hope. It subscribes to the basic principles that have been repeatedly underlined in this Council's deliberations in the past years: solving problems through negotiations; respect for human rights; the repudiation of "ethnic cleansing"; and commitment to the territorial integrity of Croatia within its internationally recognized borders.

The cornerstone of the Basic Agreement is the setting up of a Transitional Administration in Sector East for one year, possibly two. However, my delegation has noted with some concern the generality of many of the provisions of the Basic Agreement. We have come to understand that the two parties managed to agree on the general language but were irreconcilably divided when it came to the details. They are willing, we understand, to pass the "hot potato" of details over to the Council and to abide by whatever details the Council might use to fill the rather vast voids in the shell of the overall Agreement.

They are thus eager to pass the responsibility for the content of their Agreement to this Council, even while we in the Council have always argued that the prime responsibility for shaping their future must reside, in just about all situations, with the parties in conflict themselves. We recognize the request to establish a Transitional Administration for Sector East and will consider it expeditiously, relying on the Secretary-General's assistance. We will return to the details of this Administration on another day.

Meanwhile, we trust that both parties will refrain from any military adventures, a thought which, on this particular day, seems to be so far from our minds. But then, military minds have repeatedly demonstrated that they are moved by a different logic.

Mr. Kaul (Germany): Our purpose today is to welcome and thus to strengthen and consolidate the Basic Agreement on Eastern Slavonia which was signed on 12 November in Erdut between the Croatian Government and the local Serb representatives.

This Agreement and the understanding on it reached by President Tudjman and President Milošević in Dayton represent a major step forward. The Basic Agreement offers the best chance for a peaceful solution of the conflict in Croatia and the best chance to avoid further war that we have had in a long time. Germany wishes to pay tribute to the moderation and wisdom of the leaders involved on all sides, which made this Agreement possible. It is, in our view, based on two important principles. On the one side, the sovereignty of Croatia with regard to Eastern Slavonia is acknowledged. On the other, there must be full protection of and guarantees for the rights of the local Serb population.

Let me also take this opportunity to express our deep appreciation to all those who have helped to bring about this Agreement, in particular Mr. Stoltenberg, the United Nations mediator, and Ambassador Galbraith of the United States of America. We are gratified to hear that Ambassador Ahrens, the Chairman of the Working Group on Minorities of the International Conference on the Former Yugoslavia, was also able to contribute to the difficult negotiations. We hope that his advice, based on his experience and deep involvement, will also help us to tackle the difficult issues raised by this agreement.

Let me be clear: the Basic Agreement marks, not the end but, on the contrary, just the beginning of a process. This process can lead and, we hope, will lead to the peaceful coexistence of Serbs and Croats in the Republic of Croatia. It is obvious that many difficulties lie ahead and that much work needs to be done to achieve this aim, to which we all aspire.

There must be no misunderstanding: the Basic Agreement will enter into force only upon the Council's adoption of a resolution establishing a Transitional Administration and authorizing an international force to be deployed during the transitional period. Thus, the Basic Agreement confers upon the Security Council important responsibilities. In the coming days and weeks, Council members will have to work intensively on the details and modalities of, in particular, the envisaged international force and Transitional Administration. These are complex issues. The German delegation is ready to contribute actively to our deliberations and decisions.

Ultimately, however, it is only the Government of Croatia and the local Serb party that can breathe life into the Basic Agreement and make it a success. It is therefore right that the draft resolution before the Council stresses the need for them to cooperate fully on the basis of the Agreement and to refrain from any measures that might hinder its implementation. This also holds true for the Government of the Federal Republic of Yugoslavia. On 9 November, the International Criminal Tribunal for the former Yugoslavia charged three officers of the Yugoslav National Army from a Belgrade-based brigade with the mass killing of non-Serb men, who, after the month-long siege and eventual conquest of Vukovar four years ago, were forcibly removed from the Vukovar hospital. This is, in our view, a painful but appropriate reminder of the responsibility that the Federal Republic of Yugoslavia continues to bear for the unresolved situation in Eastern Slavonia. Consequently, the leadership in Belgrade must help actively to settle this question.

We will follow closely which side demonstrates — not only through its words, but also through its deeds and behaviour — its readiness to use the chance for a peaceful settlement afforded by the Basic Agreement. It is in this spirit that Germany will vote in favour of the draft resolution.

Mr. Plumbly (United Kingdom of Great Britain and Northern Ireland): It is my Government's firm hope and belief that the Basic Agreement on Eastern Slavonia signed on 12 November 1995 represents a watershed, opening the way for the reintegration of Eastern Slavonia into Croatia and thereby restoring that country's territorial integrity. Since 1992, when United Nations peace-keepers were first sent to the region, the United Nations has been actively involved in trying to bring peace to Croatia.

It is most welcome that the parties have at long last agreed to settle their differences by negotiation. We salute the perseverance and dedication of the United Nations mediator, Mr. Stoltenberg, and of the United States Ambassador to Croatia, who played a crucial role in the negotiations.

The parties having come this far, it is essential that nothing be done that might jeopardize the Agreement. That is why any resort, at this stage, to military pressure, or still less to the use of force, by either side, would be totally unacceptable, and would carry with it the most serious consequences.

The task before us now is to establish the basis on which implementation of this Agreement can go forward. There will need to be careful study before the Security Council can be in a position to proceed. But proceed we must, without delay, drawing on the advice and contacts of the Secretary-General and those who were most closely involved in the negotiation of the Agreement.

We look to the parties to begin in earnest the process of reconciliation between the two communities. We understand that this will not be an easy or a painless process; events such as occurred in Vukovar or the treatment of those Serbs who chose to remain in the Krajinas cast a long shadow. But it is nevertheless essential that both sides actively encourage reconciliation and that they cooperate fully with the International Tribunal, because unless there is reconciliation, unless the Serb minority is encouraged to remain and Croatian refugees from Eastern Slavonia are able to return to their homes, the opportunity represented by this Agreement will have been wasted.

The President: I shall now put to the vote the draft resolution contained in document S/1995/979.

A vote was taken by show of hands.

In favour:

Argentina, Botswana, China, Czech Republic, France, Germany, Honduras, Indonesia, Italy, Nigeria, Oman, Russian Federation, Rwanda, United Kingdom of Great Britain and Northern Ireland, United States of America

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1023 (1995).

I shall now call on those members of the Council who wish to make statements following the voting.

Mr. Ladsous (France) (*interpretation from French*): France welcomed with great satisfaction the conclusion of the Basic Agreement of 12 November on the territories of Eastern Slavonia in the Republic of Croatia. This happy outcome to a grave problem that threatened peace and security in the region is due to the wisdom of the parties, and we should congratulate them.

France welcomes in particular the courageous choice of the authorities of the Republic of Croatia, who, in a difficult context, opted for the peaceful reintegration of their territory. This outcome was far from certain, given the particularly bloody recent history of Eastern Slavonia. No one has forgotten the martyrdom of Vukovar, and the tragic plight of the more than 100,000 refugees of all nationalities driven out of the region or the uncertainty that remains — though we hope to see it dispelled soon — regarding the fate of hundreds of missing persons.

The energy and know-how of the international mediators, in particular Mr. Stoltenberg, who spent many months attempting to bring the parties together, deserves our highest praise, and our thanks go to all those who assisted Mr. Stoltenberg, particularly the representatives of the United States, the Russian Federation and the European Union.

Now we must establish and guarantee a just and lasting peace for all the inhabitants of Eastern Slavonia. This is the principal goal of the resolution just adopted by the Security Council.

We have to show that the entire international community supports the peace process now under way and take this occasion to show our support for the essential principles that have inspired it: the sovereignty and territorial integrity of the Republic of Croatia; recognition and protection of the fundamental rights and freedoms of the whole population of the region, without distinction as to origin; the need for the rapid return of all displaced persons and refugees; and the guarantee that all the inhabitants of Eastern Slavonia will be able to live in peace and dignity in the place where they were born and have always lived.

It is on the basis of these principles that France co-sponsored this resolution, and we hope that the Basic Agreement of 12 November will rapidly be implemented in an effective way and to the satisfaction of all the parties.

The fact that we need the support of the community of nations in order to do this is precisely reflected in operative paragraph 2, which notes the request to establish a Transitional Administration and to authorize an appropriate international force, acknowledges the role of the Security Council and invites the Secretary-General to support the Council in this matter.

We therefore make an urgent appeal to the Government of the Republic of Croatia and the Serbian representatives of Eastern Slavonia not to allow any act to jeopardize this Agreement.

Mr. Gnehm (United States of America): The adoption of this resolution is an important step, one that can build confidence between Croatians and Serbs. It is the first time in this bloody war that land has been returned by negotiation rather than by bloodshed. The Agreement envisions a partnership, reflecting the rights of all ethnic groups while recognizing Croatian sovereignty.

As the Security Council knows, the Agreement signed between the Croatian Government and the local Serb representatives is the result of long negotiations on the part of the United States Ambassador to Croatia, Peter Galbraith, and the United Nations Mediator, Thorvald Stoltenberg. These negotiations succeeded only through the intensive efforts of all involved.

Much more needs to be done, of course, before a final peace is established. The parties to the 12 November Agreement concerning Eastern Slavonia, Baranja, and Western Sirmium have asked the international community not only to underwrite but also to administer the region in its transition period. The efforts of United Nations agencies, concerned regional organizations and non-governmental organizations will have to continue. Displaced populations need to be resettled, basic services repaired and restored and administrative and police agencies reflecting both ethnic groups created. All residents of the region will have to learn again to live in trust. This is a large undertaking which will require consultation, planning and coordination between interested parties.

The United States believes that this Agreement will serve as a critical element of the broader search for lasting peace in the region. While our task is not over, and many challenges yet lie ahead, this Agreement demonstrates the commitment of the parties to pursuing a peaceful settlement beyond Eastern Slavonia, Baranja and Western Sirmium.

The efforts of the Security Council established and enforced sanctions, authorized peace-keeping forces, including the use of force when necessary, and responded aggressively to human rights violations on all sides. With the initialling yesterday of the Peace Agreement in Dayton, Ohio, and with this Agreement we have now adopted, these efforts have finally come to fruition.

Mr. Ferrarin (Italy): Italy is one of the sponsors of the resolution just adopted by the Security Council welcoming the Basic Agreement recently signed in Croatia between the Croatian Government and the local Serb representatives.

This Agreement comes at a moment of serious tension in and around Eastern Slavonia. The political solution achieved, particularly the agreement on the establishment of a transitional administration and of an international force should guarantee a gradual and peaceful reintegration of the territory into the Republic of Croatia with full respect for the rights of the local Serbian population.

It is important that in Eastern Slavonia there should not be a repetition of the events that took place in Krajina last August, in other words, the chaotic exodus of the Serb population from lands where they had resided for centuries.

On the other hand, it is equally important that the Croatian population residing in Vukovar and in the rest of that area be allowed to return peacefully and safely to their places of origin. In Italy the general public has not forgotten the tragic images of the artillery attacks on Vukovar, a martyred city that has sadly become one of the symbols of the civilian population's suffering in the conflicts of the former Yugoslavia.

Thanks to the agreement reached, Eastern Slavonia can become an example of peaceful coexistence among the diverse ethnic and cultural groups in the former Yugoslavia.

The President: I shall now make a statement in my capacity as the representative of Oman.

It is nearly four years since the war erupted in the former Yugoslavia and only recently have we witnessed signs of peace in that region. Today, the Security Council is meeting in order to reaffirm its commitment to the search for an overall negotiated settlement of the conflict in the former Yugoslavia, a settlement that will ensure the sovereignty and territorial integrity of all the States there within their internationally recognized borders, and to stress the importance it attaches to their mutual recognition.

It is a special honour for Oman today to preside over the work of the Security Council in order to support this historic achievement of establishing peace in the former Yugoslavia. Oman joins others in expressing its support for the Basic Agreement on the region of Eastern Slavonia, Baranja and Western Sirmium signed on 12 November 1995 in the Republic of Croatia between the Government of the Republic of Croatia and the local Serb representatives.

We cannot fail to place on record our appreciation of the role of facilitators played by the United Nations, the United States of America, the European Union and the Russian Federation, which participated in this process and contributed towards its success. We believe the scope of this Agreement will not only affect the two parties concerned — namely the Government of Croatia and the local Serb population — but it will have a positive impact on the region as a whole.

Thus we call on all the parties in the former Yugoslavia, particularly on those that are still rejecting peace — a just and comprehensive peace — to do so. Delay is not in favour of either side. Only through peaceful dialogue and constructive negotiations can aspirations be realized. The attacks on innocent civilians and the policy of ethnic cleansing are an ill-fated policy that leads nowhere.

With this Agreement, the two sides have proved their true desire for a genuine peace to prevail in the territory of Croatia and this desire is based on resolving their outstanding differences through peaceful means, with strict respect for the sovereignty, political independence and territorial integrity of the Republic of Croatia. We look forward to seeing full cooperation from all concerned in the implementation of this Agreement.

While we recognize this achievement, marked by the signing of the Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium, we believe that the Agreement is not an end in itself. Rather it should be taken as a first step towards establishing peace and the normalization of relations in that region and, therefore, the implementation of this Agreement and the setting out of confidence-building measures are of profound importance to the maintenance of peace and prevention of any resort to hostilities. We believe it is the responsibility

of both sides to work together in this regard towards that end.

The resolution we have just adopted contains some important provisions, the most important of which, in the opinion of my country, is the reference to the importance the Security Council attaches to mutual recognition between all States in the area of the former Yugoslavia — recognition that will ensure the sovereignty and territorial integrity of all the States within their internationally recognized borders. Oman believes very much in the importance of this step towards establishing confidence between the States of the region — a confidence that was shattered by years of hostilities and aggression.

We hope the parties concerned will fully understand the firm stand of the Security Council on this issue and its hope to see positive steps taken in this regard in the near future.

Peace in the former Yugoslavia cannot be selective. Rather it should be comprehensive in nature and scope. Thus, in the days to come, our efforts should focus more on tackling any problem that might arise from failure to implement this Agreement or any of the other peace agreements that have been signed in the last few days.

Today, there is a chance for peace, not only in the Republic of Croatia, but in the whole area of the former Yugoslavia. We believe the parties should avail themselves of this opportunity to establish peace and stability in their area.

I shall now resume my function as President of the Council.

There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda. The Security Council will remain seized of the matter.

The meeting rose at 9.20 p.m.